

### **REMARKS**

The Office Action of December 8, 2004, has been considered by the Applicants. Claims 1, 16, 20, and 23 have been amended. Claims 3 and 9 have been cancelled. New claim 25 has been added. Claims 1, 2, 4-8, and 10-25 remain pending. Reconsideration of the Application is requested.

Claims 1-6, 8-20, and 23 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims in U.S. Patents No. 6,777,529 and 6,770,904. Terminal disclaimers have been filed and copies are attached as Exhibits A and B.

Claims 1-6, 8-20, and 23 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims in copending applications 10/042,360 and 10/874,929 and 10/042,342. Terminal disclaimers have been filed and copies are attached as Exhibits C, D and E.

Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-10 of copending application 10/646,398 in view of Arai (U.S. Pat. No. 6,445,126). Application 10/646,398 is titled "Terrestrial broadcast copy protection system for digital television" and does not appear to bear any relation to the instant application. Applicants assume the application number was incorrectly typed and are unable to respond to this rejection.

Claims 1-6, 8-20, and 23 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims in copending applications 10/832,504 and 10/832,503, both in view of Arai. Terminal disclaimers have been filed and copies are attached as Exhibits F and G.

Claims 1-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 35-41 of copending application 10/231,841. A terminal disclaimer has been filed and a copy is attached as Exhibit H.

The Examiner required cancellation of either claim 9 or 14, alleging they were of the same scope. Applicants have cancelled claim 9.

Claims 1, 2, 4, 5, and 11-12 were rejected under 35 U.S.C. 112, second paragraph for indefiniteness. Applicants traverse the rejection.

The Examiner alleged the numbers a and b in claim 1 were not defined. Applicants have amended claim 1 to recite that a and b are independently selected from 1 and 2. Support for this amendment can be found on page 25 of the specification or original claim 3. Original claim 3 has also been cancelled. Applicants request withdrawal of the rejection.

Claims 1, 2, 4, 5, and 11-12 were rejected under 35 U.S.C. 102(a) or (e) as anticipated by US 2003/014466 to Ong. Applicants believe the Examiner is referring to US 2003/0144466 to Ong and have replied under this belief. Applicants traverse the rejection.

Ong does not disclose all claim limitations. In Ong, a 3,4-disubstituted thiophene is required in the repeating segment. In the instant claims, no 3,4-disubstituted thiophene is required or present in the repeating segment. In addition, claim 1 has been amended to recite that a and b must be one or two; they cannot equal zero. Therefore, the divalent linkage A of Ong does not read on the three arylene units (IIIa), (IIIb), or (IIIc) of the instant claims. Applicants request withdrawal of the rejection.

Claims 3, 6, 9, 10, 13, 14, and 16-23 were rejected under 35 U.S.C. 103(a) as obvious over Ong. Applicants traverse the rejection.

Ong does not disclose all claim limitations. In Ong, a 3,4-disubstituted thiophene is required in the repeating segment. In the instant claims, a 3,4-disubstituted thiophene is never present. Therefore, Ong does not make obvious the instant claims. Applicants request withdrawal of the rejection.

Claims 1-15 and 24 were rejected under 35 U.S.C. 103(a) as obvious over Arai. Applicants traverse the rejection.

The polymers of Arai do not meet all claim limitations. The Examiner refers specifically to formulas 4 and 5 in column 11 of Arai. Applicants note that formulas 1 through 5 of Arai all require vinylene ( $\text{CH}_2=\text{CH}_2$ ) groups between the various arylene groups. However, no vinylene groups are present in the instant claims. Additionally, Arai provides no motivation to remove the vinylene groups from the polymers.

Therefore, Arai does not make obvious the instant claims. Applicants request withdrawal of the rejection.

Applicants note that claims 16 and 23 have been amended to recite the limitation that the sum of x and y is equal to at least 1. Support for this amendment can be found in the original specification on page 11, lines 13-15 and page 15, lines 18-20. This limitation was inadvertently omitted from the original claims.

Claim 20 has been amended to remove Formula (20) and new claim 25 has been added which recites Formula (20). This change was made because claim 20 depends from claim 16, yet Formula (20) does not meet the limitations of claim 16. However, the subject matter of new claim 25 was disclosed in the specification at page 20. This change also clarifies the meaning of claims 16 and 20.

### **CONCLUSION**

For the above reasons, it is submitted that all pending claims (1, 2, 4-8, and 10-25) are in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

It is believed that no fee is due in conjunction with this response. If, however, it is determined that fees are due, authorization is hereby given for deduction of those fees, other than the issue fees, from Deposit Account No. 24-0037.

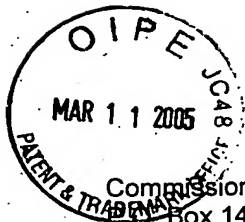
Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH  
& McKEE LLP



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Alexandria, VA 22313-1450

Patent Application  
Attorney Docket No. D/A2543-US-NP  
(XERZ 2 00951)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

In re Application of: **Yiliang Wu et al.**

Application No.: **10/646,196**  
Filed: **August 22, 2003**  
For: **POLYMERS**

Group Art Unit: **1711**  
Examiner: **Irina Sophia Zemel**

The owner, Xerox Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior Patent No. 6,777,529. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

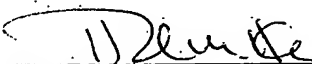
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☒ The undersigned is an attorney or agent of record.

March 8, 2005

Date

**Richard M. Klein**  
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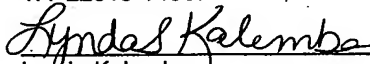
  
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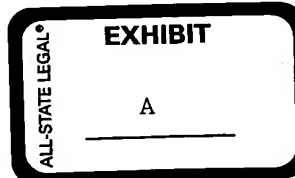
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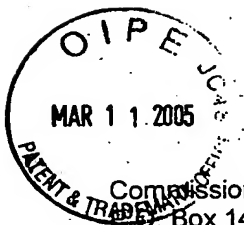
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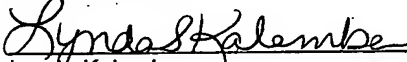
  
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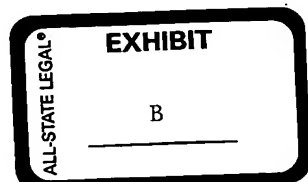
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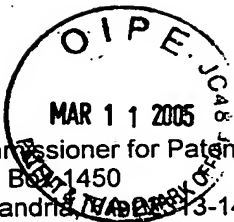
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Group Art Unit: **1711**

Examiner: **Irina Sophia Zemel**

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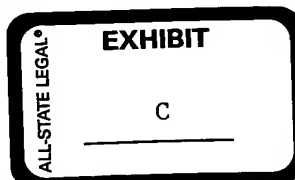
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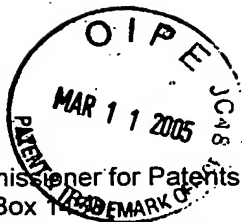
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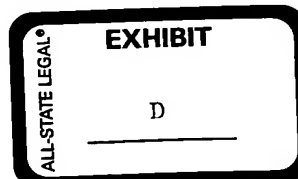
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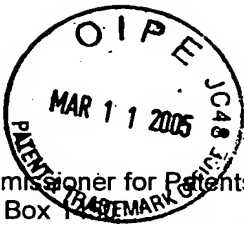
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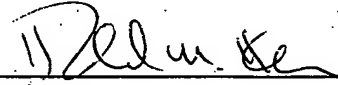
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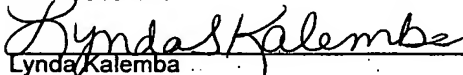
  
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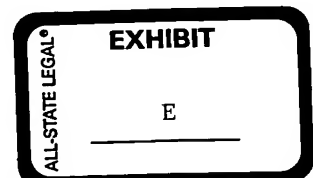
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**EXHIBIT**

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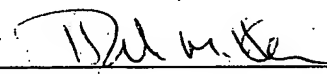
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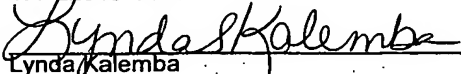
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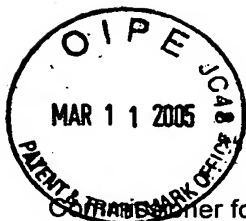
  
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**EXHIBIT**

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Patent Application  
Attorney Docket No. D/A2543-US-NP  
(XERZ 2 00951)

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER PENDING APPLICATION(S)**

In re Application of: **Yiliang Wu et al.**

Application No.: **10/646,196**

Filed: **August 22, 2003**

For: **POLYMERS**

Group Art Unit: **1711**

Examiner: **Irina Sophia Zemel**

The owner, Xerox Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application(s) Number(s) **10/231,841**, filed on **August 29, 2002**.


The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents granted on such application(s) are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney or agent of record.

March 8, 2005

Date

  
Signature

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